Remarks

The present amendment is in response to the action mailed in the above-referenced case on April 26, 2000. In the action the Examiner rejected claims 1-10 under 35 U.S.C. 103 over Li et al., US 6,012,088, hereinafter Li.

Applicant has carefully studied the art of Li and the comments and reasoning by the Examiner, and has thereafter made judicious amendments to the claims to distinguish patentably over Li.

Claim 1 as amended herein now recites:

1. A system for configuring Internet appliances, comprising:

a server having a connection to a network;

a data repository accessible by the server, and comprising data related to Internet appliances to be configured, the data associated with specific appliances by a telephone number or address used to access the system; and

control routines for configuring Internet appliances via the network connection;

wherein, upon receiving a request from an Internet appliance via the network connection the control routines consult the database for correct procedure, finding the correct procedure by the association with the telephone number or address used to contact the system, and interact with the appliance via the network connection to configure the

appliance for Internet access and operation.

In Li, as best determined by the applicant, it is left up to the user of the device to enter an identification number for a remote server to use to select configuration routines. This method and apparatus is improved upon in applicant's invention by associating a preprogrammed telephone number or address used to contact the system with the proper routines for configuring the device. This allows manufacturers of devices to associate the contact numbers with devices, and to preprogram the devices at the point of manufacture or sale, and improving the automation and reliability of the system. Nothing is left to the user in such a system (the invention) except to connect the appliance to the network. The system does the rest.

Applicant respectfully traverses the Examiner's assertion that to preprogram Li's identification number would be obvious. Even if that were true, however, the further leap of making the identification number the address or telephone number used to access the system, which is readily discernible by the system, surely rises to the standard of patentable distinction.

Claim 2 has been amended herein to recite:

2. *The system of claim 1 wherein a telephone number is used to access the system, and the associative telephone number is rendered in the system by Destination Number Information Service (DNIS) provided by a network provider.*

Claim 2 is patentable at least as now depended from a patentable claim, and also on its merits, as the action of the system in rendering the

telephone number and using that number to find the correct routines for configuration is surely unique over the art of Li.

Claim 3 as amended herein now recites:

3. *The system of claim 2 wherein further association of configuration routines is provided by Automatic Number Identification (ANI) provided by a network provider.*

Claim 3 is patentable at least as now depended from a patentable claim, and also on its merits, as the use of the source telephone number to select configuration routines is surely not taught in Li or other known art, and surely rises to the level of patentable distinction.

Claim 4 is patentable at least as depended from a patentable claim.

Claim 5 as amended herein now recites:

5. *An Internet appliance comprising:*
a network connection port; and
pre-programmed configuration routines, including a preprogrammed telephone number or address for use by the device to contact a configuration server,
wherein, upon connection to the network [and initiation by the user] the appliance dials the preprogrammed number or address, initiating a communication with the configuration server connected to the network, and interacts with compatible routines executing on the server to configure the appliance.

As argued above on behalf of claim 1, the applicant disagrees that it would be obvious to preprogram Li's identification numbers; and further that, even if that were obvious, it certainly would not be obvious to combine the identification with a telephone number or other address used to access the network upon which the configuration server acts, and to use that number by the service to select appropriate routines. Claim 5 is clearly patentable over Li as amended.

Claims 6 and 7 are patentable now at least as depended from a patentable claim.

Claim 8 as amended herein now recites:

8. A method for configuring an Internet appliance, comprising steps of:

(a) pre-programming the Internet appliance having a network port with first configuration routines adapted to interact with a remote network configuration server having second configuration routines, the first configuration routines including a telephone number or address to be used by the device to access the remote configuration server;

(b) connecting the Internet appliance by the network port to a compatible network;

(c) asserting the preprogrammed telephone number or address by the appliance, establishing communication with the remote configuration server; and

(d) configuring the Internet appliance for Internet access by interaction of the first and second configuration routines, the second configuration routines selected by the configuration server according to the

telephone number or address used to access the configuration server.

As argued above on behalf of claims 1 and 5, the use of the telephone number or address used to contact a server for configuring an appliance to select the appropriate routines for doing so is surely not taught or remotely suggested in Li or other known art, so claim 8 is now clearly patentable over the art cited and applied.

Claim 9 as amended recites:

9. The method of claim 8 wherein, in step (d) the server additionally uses the telephone number of the location from which the appliance calls the server in selection configuration routines.

The use of the source location by the configuration server is surely not taught or suggested in Li or the other art, so claim 9 is surely patentable on its merits, and at least patentable as depended.

Claim 10 as amended now recites:

10. The method of claim 9 wherein in step (d) the configuration server uses Automatic Number Identification (ANI) and Destination Number Information Service (DNIS) to select specific configuration routines for the particular appliance.

The same arguments used above apply to amended claim 10, which is surely patentable on its merits and as depended.
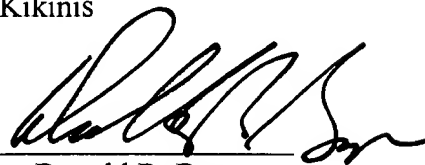
Applicant believes the claims as amended and standing for examination are patentable to applicant over the references cited and applied, and therefore requests reexamination and that the case be passed quickly to issue.

If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

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by_____

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